

FILED

APR 24 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

Austreberto QUIJADA Alvarez.

Defendant.

Magistrate Case No.: '08 MJ 83 47

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about April 23, 2008, within the Southern District of California, defendant Austreberto QUIJADA Alvarez. did knowingly and intentionally import approximately 78.54 kilograms (172.78 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 31, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 24TH,
DAY OF APRIL 2008.


Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Austreberto QUIJADA Alvarez.

4 STATEMENT OF FACTS

5 This statement of facts is based on the reports, documents, and notes furnished
6 to U. S. Immigration and Customs Enforcement Special Agent Joe Morquecho.

7 On April 23, 2008 at approximately 0827 hours, Austreberto QUIJADA Alvarez.
8 entered the United States at the Calexico, California, West Port of Entry. QUIJADA
9 was the driver of a 1993 Mercury Villager. QUIJADA gave Primary Officer Ramirez a
10 negative oral Customs declaration and said that he was on his way to Wal-Mart in
11 Calexico. Officer Ramirez referred QUIJADA and the vehicle to the vehicle secondary
12 lot.

13 In the vehicle secondary lot, Officer Silva received a negative oral Customs
14 Declaration from QUIJADA. Officer Silva requested Canine Enforcement Officer (CEO)
15 Randolph screen the vehicle for contraband with his assigned Human Narcotic Detector
16 Dog (HNDD). CEO Randolph noted that his HNDD alerted to the vehicle and advised
17 Officer Silva.

18 A subsequent inspection of the vehicle revealed 66 packages in the quarter
19 panels, gas tank, spare tire, sliding door, tail gate, and rear back seats of the vehicle.
20 Officer Dorantes probed one of the packages and a sample of a green leafy substance
21 was obtained, which field tested positive for marijuana. The 66 packages had a
22 combined net weight of approximately 78.54 kilograms (172.78 pounds).

23 QUIJADA was advised of his Constitutional Rights and waived them. QUIJADA
24 stated that he had agreed to smuggle drugs into the United States and was told he
25 would be paid \$2,000.00 to drive the vehicle into the United States. QUIJADA said he
26 planned on leaving the vehicle at a gas station with the keys in it.

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